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AN HISTORICAL STUDY

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THE QUINQUENNALES
AN HISTORICAL STUDY

BY

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PREFACE

This investigation was undertaken because of the lack of exact information about an important office. Mommsen's statement that "ueber die Befugnisse der quinquennales sind wir fast ganz ohne specielle Nachrichten" was an incentive to research because the problem remained unsolved, and because the single attempt at solution in Neumann's monograph, *De Quinquennalibus coloniarum et municipiorum*, failed to clear up the questions involved in the inscriptions. Opportunity to enter into a special examination of this topic was afforded in my studies of municipal government in Praeneste, undertaken while I was Fellow in the American School of Classical Studies in Rome.

I am indebted to Professor H. Dessau of Berlin, who was good enough to read the manuscript of this article and to make some valuable suggestions and corrections. I wish also to express my gratitude for help from Professors Kirby Flower Smith, Harry Langford Wilson, John Martin Vincent, and Westel Woodbury Willoughby, of the Johns Hopkins University, and from Professor Frank Frost Abbott of Princeton University.

A collection of fine Roman coins from Spain, which was presented to the archaeological museum of the Johns Hopkins University by Mr. William Hepburn Buckler, one of the University trustees, has been of great use to me. There are numerous specimens in it which mention quinquennales, and from them I have been able to supplement and correct the publications of Cohen, Delgado, and Heiss.

R. V. D. M.

THE QUINQUENNALES

AN HISTORICAL STUDY

The quinquennales were officials who performed approximately the same functions for many of the Roman colonies and municipalities as those exercised by the censors for Rome. This is a composite definition, but it shows fairly the general agreement of those modern authorities who have treated the quinquennales at any length. This general statement of fact may be accepted as established at the very outset; but as we are certain to find both likenesses and differences between the censors and the quinquennales, it will not be out of place to take first a brief survey of the history of the origin and development of the better known office and of the duties and functions of the more important official, with the expectation that a knowledge of the office of the censor will illuminate, if not entirely explain, many unrelated facts which concern that of the later and less known quinquennalis.

It was only a few years after the date usually assigned for the foundation of the Roman Republic that the patricians were forced to make their first political concession to the plebeians, and in the tribunate, which was the price of their return from Mons Sacer, to which they had seceded, the plebeians saw their first opportunity for political power. From that time forward until plebeians were eligible to practically every office in the state there was a continuous struggle between the two orders—between the patricians who were striving to retain the offices and the plebeians who were striving to get possession of them. That the number of Roman officials should increase with the growth of the state was inevitable, and in view of the inalienable and indivisible

quality of the Roman imperium it was also inevitable that the method of growth should be that which has been so aptly called "the progressive subdivision of the Roman magistracy."¹ As a rule the lower order in a state wins political preferment to successively higher offices with great difficulty, and by beginning at the very bottom. No doubt this is largely because in most cases its members are comparatively few in number or are too widely scattered to realize their power until after the offices have been created in the state and their definite succession has been fixed.

In Rome, however, we have a most interesting and instructive development of another kind. The plebeians at the beginning of the Republic formed probably more than half of the population of Rome, and, thanks to that service in the infantry to which they were liable and in which they all took part, they were a remarkably compact and homogeneous body. As far as we now know, their very first demand was for the consulship, the highest office in the state. It was quite clear that they would rest satisfied with nothing less. The tribunate which they gained from their first struggle with the patricians was only a temporary compromise. In 445 B. C. the patrician centuriate comitia was compelled to pass a law instituting military tribunes with consular power to take the place of consuls in such years as the senate might decide. In other words, the plebeians were now eligible to an office with consular authority. To be sure it was forty-five years before a plebeian attained the consular tribunate, but this was recognized as a concession, because in return for it the patricians were allowed a compensatory reservation, namely, the establishment of a new office, the censorship, to which only members of their own class were to be eligible. Again, in 367 B. C., when the plebeians accepted the patrician reservation of the praetorship as a balance to the concession, granted them in the *lex Licinia Sextia*, that one consul must be a plebeian, there seems to have been

¹ The author owes this illuminating phrase to Professor Drake of the University of Michigan.

no more question as to the right of the patricians alone to fulfil the judicial duties of the praetorship than there was when they first assumed the duties of the censorship.

It is the truth, but not the whole truth, to say that the establishment of the censorship in the year 443 B. C. (or possibly 435 B. C.) was due to the growth in the duties of the chief magistracy, for it had just become constitutionally possible, by the election of six *tribuni militares consulari potestate*,² to have more than two men with consular power. This would have tripled the number of officials, and it seems fair to assume, therefore, that the duties of the censors were considered at the time to be outside the competence of a plebeian magistrate. Certain constitutional functions which the censors exercised are well known. They assessed the property of citizens in preparing and arranging a register according to tribes, classes, and centuries; they drew up and revised the lists of senators and knights; they had a large share in managing the finances of the state; they held assemblies (*contiones*) for purposes of the census, to impose fines, for lustration. It is thought probable³ that the arrangement of the five class ratings as a basis for the reorganization of the army was connected with the institution of the censorship, and this belief is strengthened by the fact that the elections of the censors were ratified by the centuries and not by the *curiae*. At all events, everything goes to show that the primary function of the censors was to settle the status of Roman citizens.

The censors were two in number. They entered upon their office immediately after their election, which was at first for a period of five years. The time for actual performance of their duties was, however, very soon shortened to a year and a half,⁴ although the five-year interval of election was always kept, at least in theory. The censors were

² Bodies of three and eight are also mentioned, but six has the weight of the best authorities.

³ Botsford, *The Roman Assemblies*, p. 79.

⁴ Tradition assigns this change to a centuriate law, a *lex Aemilia* of 433 B. C.

practically unaccountable for official acts, but the fact that their joint action was necessary in important matters gave to the citizens a satisfactory safeguard. Two generations seem to have passed before the plebeians challenged the patrician right of the censorship, which had been granted in 443 B. C. It was a plebiscite of the year 367 B. C. which made plebeians eligible to this important position, but it was not until 351 B. C. that a plebeian became a censor. Finally, in 339 B. C., the centuriate *lex Publilia Philonis* stipulated that one of the censors must be a plebeian (*ut alter utique ex plebe censor crearetur*).

At some time between this date and 312 B. C. the people extended the authority of the censors by passing the *Ovinian plebiscite*, which transferred from the consuls to the censors the revision of the list of the senate.⁵ But it is the year 312 B. C. which stands out in the annals of the censorship. In this year the *Via Appia* and the *Aqua Appia*, the first of the paved military roads and the first of the aqueducts, were built by the famous censor *Appius Claudius Caecus*. Undoubtedly the increase in governmental expenditure brought to the censorship increased importance, but the great personal influence of *Appius* also added to it much more of dignity and power. We are quite justified in believing that such a man could and did extend his authority ahead of legislation, and that he used his power to "preserve the integrity of the Roman character" by supervising morals and by inveighing against the degenerating tendencies of the time.

The year 265 B. C. may possibly be taken as the date at which the power of the censorship began to decline. At that time, upon the proposal of *Caius Marcius Rutilus*, who had been elected censor for a second term, a law was passed forbidding reelection to that office. In the year 212 B. C. the *comitia*, with the consent of the senate, took from the censor part of the supervision of the building and repair of public works. *Sulla* gave no attention to the censorship, as

⁵ See Botsford, *Roman Assemblies*, p. 307, and notes 5 and 6.

is shown by his own sumptuary legislation and by his plan to keep the senate full automatically by the increase in the number of quaestors. As a republican institution the censorship came to an end in 22 B. C. Under the Empire it amounted to very little, and finally dwindled away, its functions being absorbed by the growing power of the emperor. Such, in brief, is the history of the institution of the Roman censorship, its earliest function, its growth and enlarged sphere of action, and its subsequent decline; and the justification for this review is that the censors were the prototypes of and the models for the quinquennales.

Beginning now the investigation of the functions of the quinquennalis, difficulties arise at the very threshold. The history of the censor has a definite beginning. It starts with the institution of the office itself. In regard to the quinquennalis, on the contrary, we have no idea when this official first began to perform his duties. Again, the word "censor" reflects the most important functions of the office, which was chiefly concerned with the census. The word "quinquennalis" does not reflect clearly the function of the office. Indeed, it seems to be quite casual, except that quinquennalis is associated with quinquennium, the word which was used for the period between the successive elections of censors, as may be seen in the *lex repetundarum*, where the expression reads: [*Pecunia*] post quinquennium populei fiet.⁶ It is also difficult to decide whether the title is the result of a gradual abbreviation of an extended designation such as "IIviri (IIIviri) censoria potestate quinquennales," or whether it is a term designedly fixed and legalized by some such law as the *lex Iulia* of the year 90 B. C. As a matter of fact, the title *duovir quinquennalis* standing alone is a usage found earlier in our present sources than the longer designations.⁷

⁶ *Lex Acilia Repetundarum* 66, in *Bruns, Fontes iuris Romani* (7th ed.), p. 69.

⁷ *Marquardt, Staatsverw.* i (2d ed.), p. 160, and n. 13. For the reason that quinquennium means 'every fifth year' instead of 'every fourth year,' according to the more usual method of Roman

Again, we hear much more about the censors than about the quinquennales, and what we hear is more trustworthy. The censors were highly honored officials in the great city of Rome, and therefore are frequently mentioned in the literature. The quinquennales were the officials of many municipalities in Italy and the provinces and were doubtless held in high honor in those places, but were not likely to be mentioned by the writers of Roman history. Our information about the quinquennales, therefore, comes from local sources, in the main from sepulchral and honorary inscriptions, the earliest of which are too brief to tell us much, and the later ones too fulsome to inspire complete confidence. For more than a hundred years the censors were chosen only from the patrician nobility; in the majority of cases we cannot tell who the quinquennales were. Many inscriptions which identify those officials make one hesitate to enlarge upon a theory of the status and rank of the old settlers in the municipalities as compared with the new. Furthermore, the censors were elected to their office, while some at least of the quinquennales gained their position by appointment. Finally, two other important differences remain to be considered: first, the length of the tenure of both offices, and second, the eponymous character of the office of quinquennalis and not of censor. We have seen that the official term of the censors was limited to a year and a half, and no other proof is needed to show that the censorship was considered an extraordinary position and therefore not to be connected with the regular offices, which were annual. Yet the quinquennialship was, or came to be, a fixed office, and its duration was for one year. This is clearly to be seen in the inscriptions which concern Petinius Aper⁸ (*huic anno quinquennial(itatis) Petini Apri* etc.) and M. Vibius Auctor⁹ (*de*

computation, see Mommsen, *Staatsrecht*, ii, 1 (3d ed.), p. 344, and n. 1; Mommsen, *Roem. Chron.*, p. 162 ff. The Greek titles are ἀρχων ὁ διὰ πέντε ἐτῶν τιμητικός and ἀρχων ὁ πενταετηρικός and δυνάμη πενταετηρικός.

⁸ C. I. L. xi, 6354.

⁹ C. I. L. x, 5670.

IIviro quinquenn(ali) in *pro.r(imum) annum* fieri placere M. Vibium Auctorem).

In regard to the second difference, it is not difficult to understand why the censorship and the quinquennialship were unlike in their eponymous character. To date a Roman year by a censorship was impossible for two reasons: first, because the consulship was the older and more important position; and second, because the consuls held office for exactly a year and the censors for a year and a half. On the other hand, the quinquennales had a term of one year, and during that time exercised the functions of this office in addition to their other duties as the highest administrative officials in the municipalities. There is evidence of the eponymous character of this double office in an inscription from Novae in Dalmatia (IIviris Aurr. Maximo et Annaeo),¹⁰ and still better evidence from one from Veii, although the date, 249 A. D., is late (III non. Ian. Aemiliano II et Aquilino cos. P. Sergio Maximo M. Lollio Sabiniano II vir Q Q).¹¹

Before leaving this matter of the differences between these two officials, it seems worth while to note one more interesting fact in this connection. In the early Republic the censorial functions were taken away from the chief officials of the state. In the late Republic and early Empire they were given back to the chief officials of the municipalities.

From what has been said it will be seen that between the censors and the quinquennales there are at least six points of difference, namely, the origin of the two offices, their titles, the civic status of their incumbents, the manner of election, the length of tenure, and the eponymous character of the one and not of the other. From the modern point of view these differences are no doubt accentuated by the fact that the literary evidence, as already stated, is much more abundant for the censorship than for the quinquennialship.

¹⁰ C. I. L. iii, 1910.

¹¹ C. I. L. xi, 3780.

nalship. Nevertheless, after every possible deduction is made, these differences are real. The censorship belonged to the Roman metropolis and to the formative period of the Roman Republic, and was exercised by men of national reputation and importance. The quinquennialship belonged to the Roman country town, to the period of the late Republic and early Empire—a period increasingly inhospitable to republican institutions—and in the main was exercised by unimportant and indiscriminate soldiers and provincials.

Although these differences are real and important, the resemblances are none the less so. First of all, the quinquennales, like the censors, composed a collegium of two persons. It is true that as far as the evidence of the inscriptions is concerned the great majority of the quinquennales are mentioned singly, but this does not affect the validity of our statement, for the inscriptions mention as colleagues no less than sixty-two pairs of quinquennales.¹² Two examples of these, important because of the distinction in title, may be considered as sufficient for the purpose of illustration: C. Caesius M. f. C. Flavius L. f. duovir(i) Quing(uennales),¹³ and Cn. T. Caesii Cn. f. Tiro et [P]riscus IIII vir(i) qu[i]nq(uennales) sua pecun(ia) fecerunt.¹⁴

Another likeness appears in the fact that the duties which were later assumed by the quinquennales and the censors were performed before the creation of these officials by the two chief officers of the town or city state, that is, the duoviri and the consuls. Marquardt¹⁵ has brought this out very clearly in his *Roemische Staatsverwaltung*. He goes further, and associates the functions of the censors with those of the quinquennales by tracing in a brief but authoritative way the gradual changes whereby the census of the Italian municipalities was first taken in the same way as at Rome, and

¹² See note 55.

¹³ C. I. L. xiv, 2980.

¹⁴ C. I. L. xi, 5378.

¹⁵ Vol. i, pp. 159-160 (2d ed.) = Marquardt-Mommsen, *Handbuch d. roem. Alterthuermer*, Vol. 4.

later was taken at the same time, the duties of the censors being left as much as possible in the hands of local officials, who were known as *quinquennales*. He notes that the beginning of this change was made in the year 204 B. C. in connection with the settlement of the revolt of the twelve Latin colonies during the Second Punic War. He finds *duoviri* exercising censorial functions in the year 105 B. C. in the Roman colonia Puteoli, in Iulius Caesar's colonia Genetiva, and still later, in imperial times, in the municipium of Malaca in Spain. Although the old title of censor is still found in a few instances, the new *quinquennalis* comes more and more into prominence, and finally takes over practically all the old censorial duties. Marquardt, however, assumes that the formal change from censor to *quinquennalis* took place immediately after the passage of the *lex Iulia* of the year 90 B. C. There is no proof that this was true, but it is clear enough that the functions of the two officials were practically the same.

The fact that there was a five-year interval between the elections both of *quinquennales* and of censors brings forward still another point of similarity. In each case the name for this intervening period is *lustrum*. The evidence for the use of this term in connection with the censorship is unquestioned, and we should probably be justified in assuming the same usage for the *quinquennialship* from the clause in the *lex Iulia Municipalis* of the year 45 B. C. which made the census year contemporaneous in Rome and in her municipia, and also from the list of officials from the town of Aquinum, which shows *quinquennales* for the year 68 A. D. and quite certainly also for 73 A. D., five years later.¹⁶ There is also inscriptional evidence for the use of the word *lustrum* in this connection.¹⁷ A certain Tiberius Claudius Maximus died after his election to the office of *quinquennalis*, and his mother, as a memorial to him, paved at her

¹⁶ C. I. L. x, 5405.

¹⁷ A second illustration cited by Marquardt, *Roem. Staatsverw.* i, 162, n. 1 (2d ed.), from Orelli, 2547 (= C. I. L. ix, 1666), is, I think, not a case to the point.

own expense three miles of a road *intra lustrum honoris eius*.¹⁸ These, then, are the more important differences and likenesses between the quinquennales and the censors, in the historical development and in the functional capacity of their respective offices. From the evidence it would seem that we are clearly justified in asserting that the quinquennales were municipal censors.¹⁹

The literature on the quinquennalis is in amount rather inconsiderable. The word as a title is found so seldom in Roman literary sources that any discussion or investigation of the official who bore it was quite impossible. Not until the institutional side of Roman history was taken up by

¹⁸ C. I. L. ix, 1156.

¹⁹ Marquardt, *Staatsverw.* i (2d ed.), p. 157, n. 4: "Zumpt, *Comm. ep.* i, pp. 73-158; Henzen, *Annali*, 1851, p. 5 ff., 1858, p. 6 ff., 1859, p. 208 ff.; Norisius, *Cenotaphia Pisana*, Diss. i, ch. 5 (In *Thesaurus Antiq. Ital.*, viii, 3, p. 68c, and E); Oliverius, *Marmora Pisaurensia*, p. 68 ff.; Eckhel, *D. N.* iv, 476; Savigny, *Gesch. d. R. R. im Mittelalter*, i, p. 41." Oliverius was inaccessible to me. General bibliography, *Mueller's Handbuch* 4 (2d ed.), 181-182. Further discussion of the quinquennales in Madvig, *Die Verfassung und Verwaltung d. Roem. Staates*, ii, 14 ff.; Orelli-Henzen, *Insc. Lat.*, iii, p. 423; *Bull. dell' Inst.*, 1871, p. 148; *Not. d. Sc.*, 1880-81, p. 474 ff.; *Bull. Imp. Arch. Germ.*, 1890, p. 287; notes accompanying C. I. L. x, 114, 5405, 6104; xii, 697; Marquardt, *Staatsverw.* i, p. 184-186, especially note 6, p. 184. A Leipzig dissertation of 1892 by I. Neumann, *De Quinquennalibus coloniarum et municipiorum*, which I obtained with considerable difficulty, proved to be something of a disappointment. In my judgment its value is impaired by its polemic attitude toward Zumpt. Many inscriptions used by the author have been corrected in later publications, and certainly not all of the evidence has been examined by him. Nor do any of his conclusions except one, with which, following Mommsen, I disagree, bear on the points given in this paper. A. Sebastian, *De Patronis Coloniarum atque Municipiorum Romanorum* (Halle Diss., 1884); F. Spehr, *De Summis Magistratibus Coloniarum atque Municipiorum* (Halle Diss., 1881); H. de Bousquet De Florian, *Des elections municipales dans l'empire Romain* (Paris Diss. in Roman Law, 1891), offers a few scattered comparisons and suggestions of interest. Arnold, *Roman Provincial Administration*, 258; Abbott, *Roman Political Institutions*, 358; Halgan, *Provinces senatoriales sous l'Empire romain*, 144; O. Leuze, *Zur geschichte der roemischen censur*, Halle, 1912, pp. 61, 148.

such men as Savigny and Mommsen and the evidence of inscriptions began to be recognized was attention attracted to the not infrequent occurrence of the title of the *quinquennalis*, and that official became necessarily an object of inquiry.

Among earlier investigators who fixed in a general way the place and functions of the *quinquennales*, Zumpt and Henzen deserve the most credit, and in recent years the more detailed accounts are furnished by Marquardt and Neumann. The substructure of all the literature mentioned in note 19 is a rather small number of inscriptions, the information being confined to a few facts often repeated. The investigations, however, have led to sufficiently correct generalizations, and what has been presented in the preceding pages is simply a recapitulation of the well-attested facts which concern these municipal censors, the *quinquennales*.

There are, however, a number of unsolved problems the answers to which should help materially toward a final and authoritative statement of the place which the *quinquennales* occupied in the administrative officialdom of the Roman municipalities. The observations which follow are the result of a study of all references to *quinquennales* which the author has been able to find on coins, in literature, and in inscriptions. The tabulated list from which were gathered the facts on which this article is based contains the names of nine hundred and thirty-seven *quinquennales*; this does not include fifty-eight inscriptions which mention those officials but which are so fragmentary that they could not be used with safety.²⁰

²⁰ These 58 inscriptions are: C. I. L. iii, 170, 376, 611, 1486, 2088; v, 59, 63, 2536, 6797, 6965; vi, 29739, 29740, 29748 (but not belonging to Rome); viii, 2244, 3294, 7115 b, 15497, 15859, 16530, 21065 (= 9411); ix, 427, 457, 690, 738, 981, 1175, 1662, 2116, 2673, 2685, 2850, 2962, 3102, 3691, 3834, 3956, 3957, 4549, 4890, 5078, 5454, 5793, 6363, 6365; x, 48, 1461, 4375, 4592, 5973, 6244, 6586, 6645, 6682, 7356; xi, 711, 712, 1332, 1342, 1527, 1752, 1849, 2128, 3008, 3148 a, b, 3260,

First of all, a better classification of quinquennales is very much needed. The old Forcellini-De Vit lexicon may be called with a great deal of justification the *locus classicus* for their proper assignment to definite groups;²¹ but there, as in other places where an extended investigation of the quinquennales is to be found, no clear distinction is made between the two groups of those who served the municipalities (a term meant to include both *municipia* and *coloniae*) in a political capacity and those who, in a non-political capacity as far as the state was concerned, served as high officials in certain religious and labor organizations. By a classification of the quinquennales into two groups of political and non-political officials it is hoped that a basic division can be attained. A study of the quinquennales in the second group offers no explanation of the establishment of such an office or of the method of election or appointment to it, and incidentally but little information except in survivals for the functions which it exercised. It is to the examination of the officials in the first group that this paper will direct its particular attention. The classification which is offered is as follows:—

4373, 4405, 4989, 5008, 5224, 5698, 6335, 6386; xii, 4371, 4433, 4434; xiv, 2081, 2472, 2621, 3020, 3581, 4247; Eph. Ep. vi, 275; Not. d. Sc., 1887, p. 32 b, p. 32 u; 1888, p. 563; L'Année Epig. 1903, no. 138; doubtful: C. I. L. viii, 19917; ix, 3002; x, 5850, 5851; Not. d. Sc., 1900, p. 51; 1910, p. 408.

²¹ *Quinquennalis* (Forcellini): 1. *Magistratus* (Livy, iv, 24, 4); 2-4. *Quinquennales ludorum* (Suet. Aug. 98: *Augustalia*; Suet. Nero 12: *Neronia*; Spartianus, Hadr. 27, 3); 5. *IIviri vel IVviri cens. pot. QQ. in municipiis et colonis* (Spartianus, Hadr. 19, 1); 6. *Ubi honor per integrum etiam lustrum durabat*; 7. *Eligebatur ad hoc munus aliquis imperator aut Caesar aut insignis aliquis vir, qui ibi non residebat, non hic illud administrabat per se, sed per vicarium, qui praefecti nomine designabantur*; 8. *Praetores vel aediles loco IIvirum et IIIvirum quinquennialitatem assumebant*; 9. *Octoviri Quinquennales*; 10. *Quinquennalis in collegio Augustalium*; 11. *Magistri Quinquennales*.

I. QUINQUENNALES AS POLITICAL OFFICIALS IN THE MUNICIPALITIES

1. Quinquennales elective.
 - A. Quinquennales who had been neither quaestors nor aediles.
 - a.* Civil. *b.* Military.
 - B. Quinquennales who had been quaestors or aediles or both.
2. Quinquennales appointive or honorary.
 - A. Quinquennales of high rank.
 - a.* Members of the imperial family of Rome; *b.* Praefects appointed by members of the imperial family; *c.* All others.
 - B. Quinquennales whose only other offices were of a religious nature.
3. Otherwise unclassified.
 - a.* Quinquennales feriarum, agonum, etc.; *b.* Octoviri Quinquennales; *c.* Treviri Quinquennales; *d.* All others.

II. QUINQUENNALES AS NON-POLITICAL OFFICIALS OF COLLEGIA AND CORPORA

1. Seviri et Quinquennales.
2. Quinquennales collegiorum and Quinquennales corporum.
 - a.* Quinquennales; *b.* Magistri Quinquennales; *c.* Quinquennales perpetui.

The second division can be dismissed with a very few words, because the details concerning corpora and collegia and their officials can be found in the very excellent works of Liebenam²² and Waltzing,²³ and in the comprehensive articles by Ruggiero in his *Dizionario Epigrafico* and by Kornemann in the *Pauly-Wissowa Real-Encyclopaedic* (under "collegium"). The last-mentioned article contains

²² Liebenam, *Zur Geschichte und Organisation des römischen Vereinswesens*.

²³ Waltzing, *Étude historique sur les corporations professionnelles*.

also a full bibliography. Furthermore, as already indicated, the information about the quinquennales of *collegia* and *corpora* offers nothing either new or important. Justice will have been done when it is said that in the late Empire a very small number of quinquennales are found to have served here and there outside of Rome as honorary censors of morals, as superintendents of games, or as guardians of some family or priestly cult. In Rome and Ostia, where the inscriptions of one hundred and eighty-eight out of the total of two hundred and fifteen such officials are found, they appear only as the chief officers in various bodies known as *collegia* and *corpora*. In a few of these inscriptions the quinquennales are seen to have had the duty of looking after the finances of their societies, in others to have had the control of the membership; in these few instances there remain the vestiges of the early functions of the quinquennales. In the great majority of cases, however, they served simply as presiding officers. In all there are twenty-eight different *collegia* and fifteen different *corpora* which had quinquennales in their lists of officials.

It is when we investigate the first division, the quinquennales as political officials in the municipalities, that problems begin to appear. At once the questions arise: Who was the first quinquennalis, and where and in what year did he perform the duties of his office? We do not yet know. As already mentioned, Marquardt would assign the dates of the first official quinquennales to the *lex Iulia* of the year 90 B. C. He would thus seem to give the credit for legalizing such a title to Lucius Iulius Caesar, the consul of that year and the censor of the following year. If such had been the case, the title would almost certainly have been used in the *lex Iulia Municipalis*, which was enacted by his relative Caius Iulius Caesar in the year 45 B. C. Rome was obliged to have a census of its citizens and of its allies both for purposes of taxation and in order to apportion military levies. It was a fairly definite Roman policy to leave as many matters as possible in the hands of the people of

allied or conquered territory, and this was a good plan, because nearly all the smaller towns within Roman jurisdiction soon began to imitate Rome in everything. These municipalities seem to have furnished Rome with a satisfactory census, otherwise the historians would hardly have made so much of the one case in which there was trouble. During the stress of the Second Punic War twelve Latin *coloniae* refused to send further contingents of troops. Rome was too hard-pressed just at the time to take up the matter, but in the year 204 B. C., two years before the close of the war, these *coloniae* were ordered to supply a double levy of troops and to pay a certain heavy tax. It was further ordered "that a census should be taken in those *coloniae* according to a formula appointed by the Roman censors, which should be the same as that employed in the case of the Roman people, and that a return should be made at Rome by sworn censors of the *coloniae* (*ab iuratis censoribus coloniarum*), before they retired from their office."²⁴

From the year 204 B. C., when the Latin colonies just mentioned were compelled to take their census according to the Roman fashion, to the year 45 B. C., when Iulius Caesar made the date for taking the census contemporaneous in Rome and her municipia, there is time for a great many changes to have taken place. It is certain that *duoviri* took a census in Puteoli in 105 B. C. It is known that Sulla a little later did all he could to destroy the power of the censors, but the census continued to be taken. It is possible that in the *coloniae* which he himself founded Sulla did legalize the term *quinquennalis*, a title which quite probably had already begun to be used in an adjectival way to define the censorial duty of the chief officials in the small towns. *Quinquennales* appear in five of the seven *coloniae* which Sulla is known to have founded and in eight of the eleven others which he is supposed to have founded.²⁵ On

²⁴ Livy, xxix, 15, 9-10.

²⁵ The Sullan colonies (Pliny, N. H. iii, passim; Mommsen, *Hermes*, xviii, 163 ff.; Pauly-Wissowa, *Coloniae*, 522, 34-50; Ruggiero, *Diz. Epig., colonia*, 457, ii, a) do not all show QQ.: Abella (?), C. I. L. i,

a coin of Iulius Caesar from Pella in Macedonia appear the names of Caesar himself and Flavius Rufus as *duoviri quinquennales*;²⁶ on another of his coins from Parium in Mysia are the names of C. Arrius and C. Iulius Tanc . . . as *duoviri quinquennales* by decree of the municipal senate (*IIvir Qinq. ex d.d.*),²⁷ and from Pompeii there come the names of M. Porcius and Quinctius Valgus as *duoviri quinquennales* (*duovir Qinq. coloniai*).²⁸ Here we have, I believe, from inscriptions thus far found, the names of the first six men, including Iulius Caesar, who held the office of *quinquennalis*. These inscriptions can almost certainly be ascribed to a date before the year 45 B. C.; but it is quite certain that Iulius Caesar did not legalize the title *quinquennalis* in his *lex Iulia Municipalis* of that year, for that law says that whoever shall hold the highest office or the greatest competence in the municipalities shall take the census there at the same time that it is taken in Rome by the censor or by some other official.²⁹

1228; x, 1210, 1213, 1215; Abellinum (?), none; Aleria in Corsica, none; Allifae (?), C. I. L. ix, 2334, 2353, 2354, 2359; x, 4619; Ardea (?), Eph. Ep. viii, 667; Arretium, C. I. L. xi, 1846; Asculum (?), Eph. Ep. viii, 214; Faesulae, C. I. L. xiv, 172; Florentia (?), none; Grumentum (?), C. I. L. x, 226; Hadria (?), C. I. L. ix, 5016, Spartianus, *Hadr.* 19, 1; Interamnina Praetuttianorum (?), none; Nola, C. I. L. x, 1233, 1273; Paestum (?), C. I. L. x, 484, Eckhel, *D. N. V.* i, 158; Pompeii, C. I. L. iv, 170, 195 (756), 214 (596, 824), 279, 394, 736, 786, 1156, 1886, 2927, 2955; x, 788 (789, 851), 790, 792, 806, 820 (822), 830 (837-839, 947), 840 (943, 944, 946), 852, 858, 896, 904, 936 (960, 1074 d), 996, 1036; *Not. d. Sc.*, 1886, p. 335, 1887, pp. 35, 39, 456, 1911, p. 426, 23, p. 459, 24; Praeneste, C. I. L. xiv, 2922, 2960, 2964, I, 9, II, 5, 6, 8, 2965, 2966, II, 11, 2974, 2980; Telesia (?), C. I. L. ix, 2234; Urbana, none.

²⁶ Cohen, *Desc. d. Mon. Imp.*, i, p. 19, no. 58 (Iulius Caesar). Pella.

²⁷ Cohen, *l. c.* i, p. 20, no. 63; Eckhel, *D. N. V.* iv, 480, who, however, seems to be wrong in making Arrius one of a body of *IIIIviri*.

²⁸ C. I. L. x, 852. Mommsen dates this inscription in the time of Cicero.

²⁹ *Lex Iulia Municipalis* (Bruns, *Fontes* (7th ed.), p. 102 ff.), 142-143: *Quae municipia coloniae praefecturae c(ivium) R(omanorum) in Italia sunt erunt, qui in eis municipiis coloneis prae-*

The first century before Christ was a period of such strife between the leading men at Rome that it is probable that the small towns had their own affairs pretty much to themselves. It is quite possible that the word *quinquennalis*, used first in its natural adjectival form, gained favor in some places and became a noun and an official title, while in other places it failed to gain recognition. The matter is not clear because inscriptions which mention *quinquennales* are very few before the end of the Roman Republic. In addition to the six men mentioned above, there are the *duoviri quinquennales* Publius Aebutius and Caius Pinnius on a coin of Marcus Antonius, and the same Aebutius with another colleague, Iulius Herac . . . on a coin of Augustus, both from Corinth;³⁰ Lucilius Macer and Titus Annaeus Thraso from an inscription from Croton;³¹ Lucius Titinius Sulpicianus of Dyrrachium,³² and Publius Sextilius Rufus of Nola, a *quinquennalis* at Pompeii,³³ all of them *duoviri quinquennales* and all holding that office apparently before 23 B. C. There are also the two pairs of colleagues mentioned in the *fasti*, whose year of office can be stated positively. In the *Fasti Cuprenses* for the year 32 B. C. *quinquennales* are mentioned, although their names are lost,³⁴ and at Venusia in the year 29 B. C. Lucius Oppius and Lucius Livius are recorded as *duoviri quinquennales*.³⁵ These cases nearly complete the list, and for proof seventeen instances out of a total of nine hundred and thirty are not very many.

fectureis maximum mag(istratum) maximamve (or -umve) potestatem ibei habebit tum, cum censor aliusve quis mag(istratus) Romae populi census aget, etc. See introduction to *Lex Iulia Mun.* in Hardy, *Six Roman Laws*, pp. 147 and 160, n. 22.

³⁰ Cohen, l. c., i, p. 47, no. 89 (M. Antonius), p. 160, no. 748 (Augustus); Mionnet, *Desc. de Méd.*, supp. 4, p. 56, no. 374, 375; Eckhel, *D. N. V.* ii, 244.

³¹ *Not. d. Sc.*, 1911, supp. p. 90.

³² C. I. L. iii, 605 (add. p. 989, where I think there is a mistake in reading the inscription to make Sulpicianus *praefectus fabrum* for the fifth time).

³³ C. I. L. x, 1273.

³⁴ C. I. L. i (2d ed.), p. 62 d (= Eph. Ep. viii, 224), Cupra Maritima.

³⁵ C. I. L. i (2d ed.), p. 66-67 (= C. I. L. ix, 422).

If Sulla is to be assigned the credit for having given a legal status to the *quinquennales*, reasons will have to be found to explain the small number of these officials in the fifty or sixty years after his time. Two are possible: Either Sulla's unpopularity was so great as to have kept a title legalized by him from coming very much into favor, or there are fewer inscriptions available from the first century before Christ than from either the first or the second century of our era. Both of these assertions are well founded, but they seem hardly important enough to warrant the attribution to Sulla, or to anyone else, of the legalization of *quinquennalis* as an official title. On the whole, although there may be grounds of belief that if some one did give legal authority to the term, Sulla was that man, still it seems more reasonable to hold that it was not officially adopted as a title, but that its use spread gradually because it was obviously so suitable.³⁶

The sources which are available at this time (1913) give the names of seventeen men who filled the office of *quinquennalis* certainly between the years 50 and 23 B. C., and who therefore served during what may yet be called the time of the Roman Republic. In sixteen inscriptions these men have the title of *duoviri quinquennales*; in the seventeenth, which is fragmentary (the broken inscription of the *Fasti Cuprenses* mentioned above), the word *duoviri* is certainly to be supplied. Soon after the beginning of the Empire inscriptions which mention *quinquennales* are found in increasing numbers, and new titles also appear. A few men are designated as *quattuorviri quinquennales*; a somewhat larger number are known as *praefecti quinquennales*; and still more are called simply *quinquennales*. All these titles are quite regular, with the exception of the *praefectus quinquennalis*. This official served in place of and by the

³⁶ In addition to the fact that the word *quinquennalis* is not used in the *lex Iulia Municipalis*, it is also true that it does not appear in the texts of the *leges colonia Genitiva Iulia* (*Ursonensis*), *municipalis Salpensana*, or *municipalis Malacitana*.

appointment of various Roman emperors and members of the imperial family who had been chosen quinquennales.

The choice of members of the imperial family for the office of quinquennalis shows that this was the highest office in the gift of the various municipalities, but it does not appear from any of the sources so far available whether the citizens chose them as a mark of respect or from a sense of customary duty. If the latter were the true reason, it would bear out the subsequent contention that the quinquennales were originally appointive officials. It is clear enough, however, that these members of the imperial family did not actually perform the duties of the office, but appointed deputies, who were called *praefecti quinquennales*. In the town of Aquinum on the Via Latina in Southern Latium a certain Quintus Decius Saturninus served as *praefectus quinquennalis* three different times, at first for Tiberius, a second time for Drusus Caesar, and the third time for Nero the son of Germanicus.³⁷ An inscription at Formiae, also in Latium, states that one Arrius Salanus had been *praefectus quinquennalis* for Tiberius Caesar, and that he had lately been designated by Nero and Drusus Caesar as one of their *praefecti quinquennales* (*praef. QVINQ. Neronis et Drus(i) Caes. designato*).³⁸ There is an inscription from Interpromium in the country of the Marrucini which seems to show that there the municipal senate ratified the appointment of the *praefectus quinquennalis* of Germanicus Caesar. Sextus Pedius Lusianus Hirrutus had risen from the rank of a non-commissioned officer in the army to be a *quattuorvir*, and was then probably appointed by Germanicus as his *praefectus quinquennalis*. The senate of the town passed a decree which seems to have confirmed his office, but with a title that is not found elsewhere.³⁹ Later, Pedius was made *quinquennalis* for a second time, with the regular and customary designation.

³⁷ C. I. L. x, 5393.

³⁸ C. I. L. x, 6101.

³⁹ C. I. L. ix, 3044: (. . .) *praef. Germanici Caesaris quinquennalici (i)uris ex s. c.*

In addition to the praefecti quinquennales who served as appointees, there were a number of men who acted as praefects for members of the imperial family and who for that reason seem to have been peculiarly available for the office of quinquennalis. An inscription from Brixia in Gallia Transpadana provides one such instance. Publius Papirius Pastor, after having held several offices, became the praefect of Nero, and then was chosen duovir quinquennalis.⁴⁰ The sources show that a considerable number of the Roman emperors were made quinquennales, and in the majority of cases their praefects are mentioned expressly. It is practically certain, therefore, that the praefectus quinquennalis held his office by appointment.⁴¹

An important question now demands attention, as to whether these town and village censors had previously held other offices in those municipalities in which they were serving as quinquennales. In the case of Roman emperors, of members of the imperial family, of kings in alliance with Rome, they certainly had not. None of these men reached the office by way of the municipal cursus honorum. The same appears to be true of the praefects who served as their appointees, for of course members of the imperial family did not themselves perform the duties of even the most important of the small municipal offices.

⁴⁰ C. I. L. v, 4374. See also xi, 969, from Regium Lepidum: T. Pomponius Petra, . . . , praef. Germanici Caes., IIvir QVINQ., etc.

⁴¹ Antoninus Pius, C. I. L. iii, 1497 (praefect was M. Cominius Quintus); Augustus, Heiss. Mon. Ant. de l'Espagne, 270, 12; C. Caesar, C. I. L. x, 904; Heiss, l. c. 271, 30-34 (no praefect mentioned); Claudius, C. I. L. xi, 6224; Commodus, C. I. L. x, 1648 (no praefect mentioned); Domitian, C. I. L. x, 5405; Drusus Caesar, C. I. L. ix, 4122 (?); x, 5393, 6101; xiv, 2964, II, 5; Heiss, l. c. 271, 28 and 29; Germanicus Caesar, C. I. L. ix, 3044; xi, 5224; xiv, 2964, II, 5; Hadrian, Spartianus, Hadr. 19, 1; Iuba Rex, Heiss, l. c. 269, 5; C. Julius Caesar, Cohen, Desc. d. Mon. Imp. i, p. 19, no. 58; Nero Germanici f., C. I. L. x, 5393; Nero and Drusus, C. I. L. x, 6101; Heiss, l. c. 271, 28 and 29; Nero or Drusus, C. I. L. xiv, 2965; Ptolemaeus Rex, Heiss, l. c. 269, 6 and 7; Tiberius, C. I. L. ix, 4122; x, 5392, 5393, 6101; Heiss, l. c. 270, 14; Titus, C. I. L. x, 5405; Trajan, C. I. L. xi, 421; Caesar (?), C. I. L. iii, 593.

Again, it is to be observed that the surviving *fasti* or town calendars produce no *quinquennalis* who appears to have held any of the lower magistracies in his city. It may be urged that none of these *fasti* gives a list of officials sufficiently long to warrant a positive statement,⁴² yet the calendar from *Venusia* covers a period of eight years (from 35 to 28 B. C.), the calendar from *Nola* four years (from 29 to 32 A. D.), and the fragments of the *fasti* from *Praeneste* four successive years. In none of these *fasti* is the man who held the office of *quinquennalis* mentioned in the preceding years as a *quaestor* or an *aedile*.

Numerous inscriptions which give the *cursus honorum* of men who had previously not held any of the regular offices in the cities where they were made *quinquennales* furnish additional illustrations of this view of the question. For example, *Lucius Minicius Natalis*, consul in 127 A. D., pro-consul in 139 A. D., also the incumbent of a number of offices in the city of Rome, was given the honorary offices of patron of the city and curator of the shrine of *Hercules Victor* at *Tibur* (modern *Tivoli*), and also the office, whether elective or honorary we do not know, of *quinquennalis maximi exempli*.⁴³ *Quintus Petronius Melior*, whose inscription shows him to have been a Roman official at *Ostia*, had previously held offices in several places. He had been curator *rei publicae* *Saenesium*, and pontifex in both *Faesulae* (the modern *Fiesole*) and *Florentia*, and at the former place he had held the office of *quattuorvir quinquennalis*.⁴⁴ *Caius Sallius Proculus*, who was patron of the *Aveiates Vestini*, of the senate and people of *Amiternum*, and of the *Peltuinates*, and sacerdos and pontifex of the *Lanivini*, held the office of *quinquennalis* in two places, being *quinquen-*

⁴² The *fasti* which mention *quinquennales* are to be found as follows: C. I. L. iii, 7803 (*Apulum* in *Dacia*); C. I. L. ix, 338 (*Canusium*, for the year 223 A. D.); C. I. L. x, 5405 (*Interamna Lirenas*); C. I. L. x, 904 (*Pompeii*, for 40 A. D.); C. I. L. xiv, 2964, 2965, 2966 (*Praeneste*); C. I. L. x, 1233 (*Nola*); C. I. L. ix, 422 (*Venusia*).

⁴³ C. I. L. xiv, 3599 (about 130 A. D.).

⁴⁴ C. I. L. xiv, 172.

nalis at Amiternum and quinquennalis summus magister at Septem Aquae in the country of the Sabini.⁴⁵ On the other hand, there are several hundred inscriptions which give the successive regular offices previously held by the men who became quinquennales. Therefore, although a respectable number of quinquennales gained that honor without having filled the lower city offices, it must be admitted that they are the exceptions, and that the great majority previously held other offices in the municipalities where they performed their duties.

From the facts thus far considered, the conclusion is justified that the quinquennalis occupied an office to some extent extraordinary. It is evident that an appreciable number attained the position in some unusual fashion, and therefore that the irregularity, whatever it was, in the method of obtaining the appointment has an important bearing upon the subject. If these irregularities are a factor in the solution of our problem, a second question at once confronts us: Were the quinquennales necessarily citizens of the towns where they held office?

It is a well-known fact that it was the policy of Rome to encourage and to allow the citizens of the various towns to manage their own affairs, but it appears that many men who were quinquennales in certain places were not citizens there. An inscription in honor of Lucius Aconius Statura at Tifer-num Mataurense says that he had been flamen, pontifex, and quinquennalis there, but the same inscription also says that he had been pontifex and quinquennalis at Ariminum, and he would hardly have been a citizen of both places.⁴⁶ At Hispellum (Spello) in Umbria an inscription mentions Caius Alfius Rufus as duovir quinquennalis of the colonia Iulia Hispellum, and then makes a further particular reference to the fact that he was also duovir quinquennalis in Casinum, his own municipium (et Ilvir QVINQ. in municipio suo Casini).⁴⁷ Another man, Marcus Aulus Albinus,

⁴⁵ C. I. L. ix, 4206, 4207, 4399.

⁴⁶ C. I. L. xi, 5992.

⁴⁷ C. I. L. xi, 5278.

praefect of a cohort of soldiers, held the office of duovir quinquennalis in two different cities, Cubulteria and Allifae.⁴⁸ In Campania a certain Numerius Cluvius was a ubiquitous officeholder. He had been a duovir at Nola, a quattuorvir quinquennalis both in Caudium and in Capua, and a trevir quinquennalis at Puteoli.⁴⁹ Caius Luccius Paulinus, who seems to have been a citizen of the municipium Cottia, because, as his inscription shows, he had filled all the offices which that town had to offer (*omnibus honoribus perfunctus*), was a member of the municipal senate at Ariminum, to which body he had doubtless been added after having held the various offices there, among which was that of duovir quinquennalis.⁵⁰

One more case in point is that of Quintus Pompeius Senecio, a man who could boast thirty-eight names. He was a Roman senator, and had been pontifex, praetor, consul, proconsul, praefect of the Latin games, and so on, as is duly set forth in an inscription to him at Tibur. But he was also an officeholder there. He had been made a priest of a local cult and a curator of the temple of Hercules Victor, both offices of a religious nature; he was patron of the municipium, an honorary post; and finally was for some reason a quinquennalis.⁵¹ This last inscription is of fairly late date, and may for that reason have no real bearing upon the case. We must, however, consider it in order to explain away in some measure the anomaly of finding the same quinquennales in two or more different places, and as far as Roman senators are concerned it probably does so. Professor Desau of Berlin called the author's attention to the fact that the Digest of Hermogenianus makes it clear that men who attained to senatorial rank in Rome were not bound to hold office in their own towns.⁵² Yet there were men of that

⁴⁸ C. I. L. x, 4619.

⁴⁹ C. I. L. x, 1572, 1573.

⁵⁰ C. I. L. xi, 416.

⁵¹ C. I. L. xiv, 3609.

⁵² Hermogenianus, *Corpus Iuris Civilis*, i (8th ed.), Dig. 50, 1, 23: *municipis esse desinit senatoriam adeptus dignitatem, quantum ad munera; quantum vero ad honorem, retinere creditur originem.*

rank who were quinquennales in two different places. In all this there is an element of uncertainty; and perhaps the incumbency of the same office in two different places might be explained by claiming that such a man was honorary quinquennalis in one place as a *municipe*, and in the other, as *incola* or possessor, held the office as a duty. Such a claim seems to me to lack solid foundation.

In addition to the examples given above, there are two groups of men who may or may not have been citizens of the places where they filled the office of quinquennalis. The one group is made up of soldiers and officers in the army, who became quinquennales in the given towns without having held any civil post there;⁵³ the other is composed of men who rose to that high rank without having attained to any other offices except those of a religious nature.⁵⁴ The men from these two groups least likely to be citizens would be the soldiers, but the ground is too uncertain to build upon. As before, it can only be said that the great majority of the quinquennales were unquestionably citizens of the towns in which they held office. On the other hand, there is just as good evidence that a small number of them were not citizens, hence it is possible to state that the proportion of quinquennales who were not citizens is large enough to justify a second claim of irregularity in connection with the choice of these officials. In discussing the number of the quinquennales, their eligibility to reelection, and the functions of their office, the general assumption was that the quinquennales were for most intents and purposes municipal censors. The reader may find himself, therefore, prepossessed with a fixed idea of the range of their duties. In truth there is very little which one might not safely have anticipated from even a superficial knowledge of the Roman censors, but this

⁵³ The following citations refer to inscriptions of *cursus honorum*: C. I. L. ii, 4264; iii, 7504; v, 49, 4373, 7481; ix, 2564, 2599, 3307, 3671, 4753, 5363, 5365; xi, 4573.

⁵⁴ C. I. L. ii, 3426; iii, 1141, 1473, 1497, 1503, 1513, 3488, 7907; v, 2536; vi, 4496 (= 2289); viii, 4600, 16417; ix, 4206, 4207, 4399; x, 5835, 6236.

is in itself important and interesting. On the other hand, there are two or three cases exceptional enough in character to make it worth while to set down the facts about them somewhat more in detail, even quite apart from the manifest duty of making the inscriptional record of the quinquennales as complete as possible. Inscriptions give us the names and titles of two hundred and fifty-one duoviri quinquennales, eighty of whom (that is to say, forty pairs) are proved positively to be colleagues, and the names and titles of one hundred and thirty-two quattuorviri quinquennales, eight pairs of whom are seen to be colleagues. There are also twelve pairs of colleagues (five pairs of this number appearing in coin inscriptions) who have the simple designation quinquennales, and besides these, two pairs entitled praetores quinquennales. It is quite certain that whether these officials exercised their functions as duoviri quinquennales, as was true in the coloniae, or as quattuorviri quinquennales, as was true in the municipia, or under any other titular designation, they did so as a collegium of two men,⁵⁵ two exceptions to the contrary notwithstanding.⁵⁶

During the Roman Republic it was uncommon for a man to hold the same office twice. To succeed oneself in the same position even after the lapse of some years was considered so dangerous a precedent that, as has been said above, a law was passed making it illegal for a man to hold the censorship twice. It might therefore be expected with reason that the quinquennales were limited to one term of office, but the last century of the Republic saw many precedents shattered. From the time when Tiberius Gracchus tried and failed, and his brother Caius tried and succeeded,

⁵⁵ C. I. L. iii, 1910, 2774, 7342, 7803; ix, 338, 422, 2660, 2667; x, 852, 904, 1233, 4585, 4586, 4587, 5405; xi, 4223, 4652, 4653, 5378, 6510; xiv, 2621, 2965, 2966; Eph. Ep. viii, 892.

⁵⁶ One inscription, C. I. L. x, 6015 (QVINQ. solus) shows a man serving alone. Cf. C. I. L. ii, 1964, 4: IIviri ambo alterve; ii, i, 24: IIvir solus creatus. Another, Wiener Studien 1902, pp. 286-291 (= L'Année Épig. 1903, nos. 372-375) mentions four quinquennales as a body serving as directors of games in the reign of Septimius Severus.

in gaining immediate reelection to the tribunate, from the seven consulships of Marius, the perpetual dictatorship of Sulla, and the prolonged proconsulships of Julius Caesar, until the emperors took the tribunician power every year and the consulship as often as they wished, the feeling of propriety in a reelection to the same office must have grown more and more common. Hence one ought not to be surprised to find quinquennales serving several terms. There seems indeed to have been no regulation as to the number of times a man could aspire to that office, for there are thirty-four inscriptions which show that the same man held it twice, thrice, or even four times.⁵⁷

Information as to the functions of the office must be gathered from inscriptions. One from Istrus in lower Moesia gives to Caius Iulius Quadratus the title of *quinquennalis territorii Capidavensis*,⁵⁸ and thereby fixes a part of his duties. In Teate Marrucinatorum, Lucius Septimius Calvus, who had been aedile and one of the city judges (*quattuorvir iure dicundo*), had been made praefect with quinquennialician power by the decree of the local senate (*praef. ex s. c. quinquennialicia potestate*), and must therefore have been delegated, probably not in a regular quinquennial year, to perform some work that was properly the duty of the censorial official.⁵⁹

From Luca, in northern Etruria, comes an inscription which shows that quinquennales there exercised a function which we are accustomed to consider as a most important part of the duties of censors, namely, the approval of the expenditure of public funds (*pec(unia) publica ex testament(o opere) a quinquennialibus (probato)*).⁶⁰ It would

⁵⁷ C. I. L. iii, 1473, 1513, 7907, 6835 (= 296), 6836, 6837 (= 297), 6874; vi, 29699, 29704; viii, 980, 8210; ix, 652, 2568, 2648, 2855, 3096, 4200, 5357, 5533, 5831; x, 412, 1806, 5067, 5392, 5393; xi, 1525, 3013, 4087, 4209, 4572, 5004, 5175 b, 5220 a, b; xii, 4357; xiv, 171; Not. d. Sc., 1892, p. 351, 1902, p. 124; Cohen, Desc. d. Mon. Imp., i, p. 159, no. 743, i, p. 160, no. 748 (= Eckhel, D. N. V. ii, 163, 244).

⁵⁸ C. I. L. iii, 12491.

⁵⁹ Eph. Ep. viii, no. 120.

⁶⁰ C. I. L. xi, 1527.

also be fair to expect, according to the ancient theory that most officials ought rather to pay the state or city for political preferment in office than be paid for performance of public duties, that the quinquennales would be found not only approving municipal expenditure, but spending their own money in the erection of public buildings and in the construction of roads and bridges. There are forty-one inscriptions which have perpetuated the names of patriotic quinquennales, most of whom very generously at their own expense repaired or made roads or buildings of various kinds.⁶¹ At Aesernia, for example, the two quattuorviri quinquennales, Marcus Rahius Quartus and Lucius Ofillius Rufus, paved a road at their own expense; Sextus Pedius Hirrutus built an amphitheatre at Interpromium; the Marci Lartieni Sabini, father and son, after having made many necessary repairs on an old aqueduct, were able during their term of office to bring water again into the city temple of Aequiculi; near Beneventum, Caius Aufidius and Caius Fufidius built a bridge; a bath was constructed at Aesernia by Quintus Fufius and Caius Antracius; and at a crossroads in the Ager Beneventanus, Marcus Nasellius Sabinus and his father, while they were quinquennales, built a porticus, furnished it with the necessary seats, tables, and so forth, and settled upon it a sum of money large enough to provide there an annual feast for the members (pagani) of their district.

The Roman censors, who were usually old and conservative men, were almost inevitably drawn into the supervision of the morals of the people. The very kind of power which they exercised tended to develop that particular function in

⁶¹ Walls: C. I. L. vi, 29704; xi, 6510. Roads: ix, 2667 (Rahius and Ofillius), 3688; x, 5074; xi, 3384, 5. Statues: viii, 7123, 14891; xi, 5264. Gate: v, 8288. Tablets: ix, 5439; xi, 5748. Theatres or amphitheatres: ix, 3044 (Pedius Hirrutus), 3173; x, 1443, 1444, 1445. Curiae: xi, 3583, 3584; xi, 5753. Aqueducts: ix, 4130 (Lartieni Sabini), 4209; x, 4654, 7954; xi, 6068. Bridge: ix, 2121 (Aufidius and Fufidius). Temples: iii, 10439; ix, 427; xiv, 2980; Jh. Oesterr. Arch. I. viii, 1905, 4. Baths: ix, 2660 (Fufius and Antracius); xi, 4094; Not. d. Sc., 1911, supp. p. 90. Various buildings: ix, 1618 (Nasellius Sabinus); x, 3678, 4587, 7845; xi, 712, 4819, 5378, 6225.

the censors, the only one, in fact, that survives in the modern use of the word. It might naturally be expected that this *regimen morum* would be mentioned somewhere as one of the functions exercised by the *quinquennales*, but one searches in vain for any definite allusion of this kind. In fact, Marquardt⁶² denies that this particular function belonged to the office. One inscription, however, is particularly interesting for it seems to point to the exercise of that very supervision of customs and morals the existence of which the German authority denies. At Neapolis, Caius Octavius Verus, the praefect of a cohort of soldiers, a city flamen and an augur, held as his last and highest title that of *quinquennalis iuvenum*.⁶³ Despite, therefore, a few exceptional cases of minor importance (which, however, seemed to demand explanation), it must appear that the functions of the *quinquennales* were about what one would have expected from officials with censorial powers. Indeed, that very phrase is expressly used in eight inscriptions,⁶⁴ of which one may serve as an example. By decree of the senate of Vibo, Quintus Laronius and Lucius Libertius served there as judicial *quattuorviri quinquennales* with censorial power (*IIIIVir i. d. Q(VINQ) c. p. ex s. c.*).

A question which is variously answered in the inscriptions concerns the problem of eligibility to the office of *quinquennalis*. It has been shown above that certain of the Roman emperors, a few members of the imperial family, and two foreign kings who were in alliance with Rome were *quinquennales*, but all of these, as far as we know, delegated their power to appointees. There were Roman senators, imperial and provincial officers, soldiers who rose with no interven-

⁶² Staatsverw. i (2d ed.), p. 162.

⁶³ C. I. L. x, 1493. There is in C. I. L. viii, 883, a title of *Quinquennalicius gentis Severi*, of which I can offer no satisfactory explanation.

⁶⁴ C. I. L. ix, 44; x, 48, 49 (Laronius and Libertius), 53, 5844, 5850; xiv, 245, 375. C. I. L. xiv, 352, mentions two other *quinquennales* with censorial power, but they are officials of a collegium, and are therefore not cited.

ing steps from a military rank,⁶⁵ and priests who had previously held no other offices except those of a religious kind,—all these were quinquennales. On the other hand, nearly half of the men⁶⁶ known to have held this position had previously run the regular municipal round of offices, the *cursus honorum*, as properly constituted and accredited *duoviri* or *quattuorviri*. It would thus appear that the persons who were eligible to become, or, better perhaps, the men who did become quinquennales can be roughly divided into two groups. The first was one in which seemingly almost any person could qualify, and was composed of men who attained to that highest municipal rank in an irregular way; a second and equally important group was undoubtedly made up of citizens of the various municipalities who rose in the natural order of progress through the lower offices to the highest one in their competence.

Thus far the quinquennales have been considered from points of view where the comparison between these officials and the earlier Roman censors could be expected to throw light upon the history of the less well-known office. The administration of both offices at a like five-year interval was a governmental phenomenon so striking as to warrant us in believing that both offices arose under similar circumstances. The name for the interval between the periodic performance of the duties of both officials was the same, that is, *lustrum*. The very title *quinquennalis*, at first a natural adjectival explanation of old duties attached to a new office, was soon strong enough in many cases to draw away from its old associations and become a derivative, and it then assumed most of the rights and privileges of its prototype. Both the office of censor and of *quinquennalis* were important positions, and usually crowned the political careers of their incumbents. The functions of both offices have been compared and found to be practically alike.

Nevertheless, the hardest problem of all has yet to be

⁶⁵ E. g.: C. I. L. iii, 8753; v, 4373; xi, 4573.

⁶⁶ To be exact, 383 out of a total of 937.

solved. This is the question whether or not the quinquennales were elected or appointed to office. The censors were elected, although it must be borne in mind that for many years only men from the patrician class were eligible. If it might be assumed—and certainly what has been said above seems to warrant it—that the office of quinquennalis was filled by election because the office of censor, with which it has so much in common, was filled by election, the difficulties would disappear, but the warrant for that assumption is not quite sufficient. As already stated, a great many years intervened between the practical disappearance of the censor and the first appearance of the quinquennalis. In the event of the revival of an obsolete office, which of its original characteristics would most likely be accentuated? The very fact that it was a transference or a revival of an old office would seem to carry with it the survival of the basic functions of that office, and at the same time would suggest a reason for its rehabilitation. On this point the almost contemptuous silence of the Roman historians regarding all affairs not directly connected with Rome itself leaves the matter in the dark, and the investigator is compelled to use the evidence of inscriptions alone. Marquardt, who is the best authority on this subject, says that the quinquennales were elected by the city from its citizens.⁶⁷ Hirschfeld, in his comment in the *Corpus Inscriptionum Latinarum* upon an inscription to Caius Iunius Priscus, is not quite so sure, but states his belief that this particular man received the honor of quinquennalis either by the votes or at the request of the people.⁶⁸ The title of the office in question is *IIV[ir i(ure) d(icundo) Qu]inq(uennalis) cand(idatus) Arelat(ensium)*. One is forced to suspect that in their great handbook on Roman constitutional antiquities Marquardt and Mommsen have based their statement too much upon the fasti, especially those of Canusium. This calendar, to which

⁶⁷ Marquardt, *Staatsverw.*, i (2d ed.), p. 163: "Sie [die Quinquennalen] werden von der Stadt aus der Buergerschaft gewaehlt."

⁶⁸ On C. I. L. xii, 697: "qui suffragiis sive ex postulatione populi honorem consecutus est."

many references are made in connection with this matter of the election of quinquennales, is properly dated as of the year 223 A. D., but in its date it carries its own condemnation, for it is much too late to show anything about the way in which the office began. It should, therefore, be used with particular care.

On the other hand, the *fasti* of Venusia, a town in Apulia in south central Italy, deserve much more attention than they have received.⁶⁹ In the first place, they belong to the period 35 to 28 B. C., that is to say, not more than ten or fifteen years later than the earliest date that can be assigned with certainty to the inscription mentioning the first quinquennalis. Moreover, these *fasti* give the names of nearly all the officials of Venusia for seven consecutive years. Perhaps the most important fact of all is that these *fasti* begin only eight years later than 43 B. C., which is the date of the change of Venusia from the status of a *municipium* to that of a *colonia*,—a momentous event to the inhabitants of a small city or town. It is probable that when the town became a *colonia* a number of citizens who had been soldiers in the Roman army were added; at all events, the list of the municipal officials includes some names which are not indigenous to that part of the country. The *fasti* show very clearly that a regular *cursus honorum* had not yet established itself in the *colonia*, because out of the forty-six men who appear therein as officials, only three were reelected to offices of higher rank, and even the steps as shown in these cases were not the same. Lucius Cornelius, who was a *praefect* in the year 722 A. U. C., seems likely to have been the *duovir* of the same name in the year 724; Lucius Scutarius, a *quaestor* in 722 A. U. C., seems to have arrived at the *duovirate* in the very next year, and Caius Geminius, who was *aedile* in the year 724, seems to have attained two years later to the dignity of *duovir*.

It is apart from the purpose of this paper to cite the names of the officials of Venusia, except so far as they show that

⁶⁹ C. I. L. i (2d ed.), pp. 66-67 (= ix, 422).

there was evidently political strife between the old and the new citizens of the town. In the year 34 B. C. the duoviri were Quintus Larcus and Caius Rumeius, both probably from the older division of the town's inhabitants. In the next year Caius Aemilius and Quintus Pontienus, one an old settler, the other probably a newcomer, were the duoviri. In the year 32 B. C. there were praefects in office for part of the year, a fact which seems to show that there was some sort of trouble during the preceding year. The year 33 B. C. would have been the regular quinquennial period in the Roman municipalities if censors had been chosen at Rome. As a matter of fact they were not, hence it is to be expected that the regular officials, the duoviri, would be found at Venusia, and such is the case. Five years later, however, in the year 29 B. C., a census was begun in Rome, which was finished with the proper closing of the lustrum the next year by the consuls Augustus Caesar and Agrippa, who had been given censorial power. In the fasti of Venusia for the year 29 there appear officials known as quinquennales. It is therefore almost certain that these men, Lucius Oppius and Lucius Livius, were the first quinquennales ever acting in the colonia of Venusia. It is not hard to be convinced that men who bore the names of Oppius and Livius were not descendants of the old settlers of Apulia. The contrast becomes all the sharper when one compares their names with those of the aediles and quaestors who were in office the same year,—Narius, Mestrius, Plestinus, Fadius.

The political confusion in this new colonia is reflected very clearly in the calendar of officials, and perhaps one is not justified in drawing a conclusion from only one of several entries which seem to show irregular elections. Yet the evidence appears to indicate that the chief office in the municipality during the important quinquennial year was held by two men who had not held office in the city during the preceding six years, and also that their names show that they belonged to the new soldier citizens. They may have been elected in the regular way; it is impossible to say that

they were not, but the indications are very strong that the quinquennial year was presided over by officials who, if they were not appointed directly by the central authority at Rome, were at least submitted to the vote of the town by that authority. It is, however, impossible to do more than state the facts concerning the fasti of Venusia to show that there is reason to believe that the new colonia experienced political dissensions. From a tabulation of such an irregular *cursus honorum* it is possible to make certain assumptions as to the control which the central power exercised over a municipal government, but on the whole the fasti lead to the presumption that all city officers were elected.

In the fasti of Praeneste⁷⁰ there is proof of the appointment of officers who at least performed the duties of quinquennales. Germanicus and Drusus Caesar, also Nero and Drusus, the sons of Germanicus, were in some way and for some reason made quinquennales at Praeneste (the modern Palestrina). Probably they were elected by the citizens as an honor. It was certainly true at Praeneste, as in the greater part of the Roman world, that the necessity of guarding against an evasion of the old proportional military contingent had long since passed away, but for a number of reasons a correct census of citizens and property was desired. The important question at this point is whether the citizens of various towns elected to the office of quinquennalis members of the imperial family and other great men who were not of their own citizens for the purpose of doing them honor, or whether it was not a safe way to proceed in order to avoid the necessity of having quinquennales thrust upon them or suggested to them by the central authority. At all events, the four imperial Romans mentioned above, after having been made quinquennales at Praeneste, did not assume the duties of the office themselves, but appointed praefects to serve for them. All that can really be learned from the fasti of Praeneste is that the town had two different pairs of quinquennales who were not their own citizens

⁷⁰ C. I. L. xiv, 2964, 2965, 2966.

and who delegated their duties to appointees. The amount of information thus gained from the fasti is not great, but the value of the fasti of Venusia and Praeneste, because they are earlier, is clearly greater than that of the fasti of Canusium.

There remains one more source of information upon which Mommsen lays stress in arguing that the office of *quinquennalis* was elective, namely, the wall inscriptions of Pompeii. Here again he seems to ascribe too much importance to rather slender evidence. It is quite true that appeals for votes for *quinquennales* were painted upon the walls in Pompeii, there being seventeen instances of such commendatory notices. All together four men are mentioned in these inscriptions, one man once and another three times, while Lucius Veranius Hypsaeus and Quintus Postumius Modestus divide the rest, one having six, the other seven notices.⁷¹ These last two names, the former seeming to belong to a descendant of one of the old settlers, the latter to one of the new townsmen, probably show that a close election was expected and that the same rivalry still existed between the new and the old inhabitants that Cicero had noticed a century before.⁷² It is possible that up to this time the office of *quinquennalis* had been filled at the dictation of the central authority, and that open and untrammelled candidacy for the office had just lately become practicable.

The chief difficulty is that the date of these inscriptions is after 50 A. D., in other words, nearly if not quite a hundred years later than the time at which one can say positively that *quinquennales* first began to appear as municipal officials, hence they cannot properly be used to prove that at Pompeii the office was elective from the beginning.

⁷¹ L. Veranius Hypsaeus 6 times: C. I. L. iv, 170, 187, 193, 200, 270, 394 (?); Q. Postumius Modestus 7 times: C. I. L. iv, 195, 279, 736, 756, 786, 1156. Only two other men appear, one 3 times: 214, 596, 824, the other once: 504 (this note is from my "A Study of the Topography and Municipal History of Praeneste" in Johns Hopkins University Studies in Historical and Political Science, ser. xxvi, nos. 9-10, p. 92, n. 159).

⁷² Cic. pro Sulla 21.

It is now in order to consider whether any of the quinquennales owed their office to appointment and not to election. A number of such cases at once demand attention. Lucius Octavius Rufus of the town of Suasa in Umbria, who was a tribune in the fourth Scythian legion and was twice *praefectus fabrum*, was made an *augur* by decree of the municipal senate (*ex d. d. creatus*), and was then appointed *duovir quinquennalis* both by order of the Roman senate and by decree of the city *decuriones* (*duumvir QVINQ. ex s. c. et d. d.*).⁷³ At Dyrrachium in Illyricum, Lucius Titinius Sulpicianus, a tribune of the soldiers and a *pontifex*, served as *praefectus produovir* and *produovir quinquennalis*, and was later appointed *praefectus quinquennalis* for Titus Statilius Taurus, one of the consuls of the year 26 B. C.⁷⁴ In Libo, Quintus Laronius and Lucius Libertius, who have been named above in another connection, were by order of the senate made *quattuorviri quinquennales* with censorial power, which seems to imply something either apart from or in addition to a popular election.⁷⁵ A coin of Julius Caesar from the town of Parium in Mysia, which dates certainly before the year 44 B. C., informs us that Caius Arrius and Caius Iulius Tanc . . . were appointed *duoviri quinquennales* by decree of the municipal senate. As this is among the very earliest inscriptions we have which mention quinquennales, it is of great importance.⁷⁶

There are also two coins of uncertain provenience dating from the time of the emperor Tiberius on which appear the names of three *duoviri quinquennales* who also obtained their office by a decree of the municipal senate.⁷⁷ Quintus Decius Saturninus, who held offices in many places, having been a *pontifex* at Rome, a military tribune in Asia, and a *quattuorviral* judge at Verona, to mention a few of them,

⁷³ C. I. L. xi, 6167.

⁷⁴ C. I. L. iii, 605.

⁷⁵ C. I. L. x, 49.

⁷⁶ Cohen, *Desc. d. Mon. Imp.*, i, p. 20, no. 63 (Iulius Caesar).

⁷⁷ Cohen, *l. c.*, i, p. 211, no. 254 (Tiberius) : *ibid.*, i, p. 211, no. 253 (Tiberius), and i, p. 174, no. 28 (Livius).

held the office of *quinquennalis* four times at Aquinum, and three times out of the four by appointment.⁷⁸ Lucius Rufellius Severus, a soldier at Fanum Fortunae, owed one of his positions as *quinquennalis* to imperial appointment.⁷⁹ An inscription found at Luna a few years ago is of value in this same connection. Lucius Titinius Glaucus Lucretianus, when serving his *duovirate* for the fourth time, was in addition made *quinquennalis* by the favor or promotion of the emperor Claudius (*duovir IIII QVINQ. primus creatus beneficio divi Claudii*).⁸⁰ We also have the inscription of the man who seems to have been the first *quinquennalis* in the *colonia* of Sarmizegetusa in Dacia.⁸¹ Quintus Ianuarius Rufus Tavius, a *flamen*, had the title *quinquennalis prim(us) pro imp(eratore)*. If we are right in thinking that Ianuarius was the first *quinquennalis* in this town, we have a rather important bit of evidence, for the office was clearly given to him as an appointment, quite apart from any question as to whether or not the emperor mentioned was elected in due form.

To sum up as to the method by which anyone became *quinquennalis*, there are on the one hand the several cases mentioned above⁸² in which one of the Roman emperors or a member of the imperial family obtained the office, and, whether duly elected or not, appointed *praefects* to administer their duties for them.⁸³ There are also those *quinquennales*, among whom are eight Roman consuls or *proconsuls*, who held their office either by appointment or as an

⁷⁸ C. I. L. x, 5392, 5393.

⁷⁹ C. I. L. xi, 6224.

⁸⁰ Wiener Studien 1903, p. 326 (*L'Année Épig.* 1904, no. 227).

⁸¹ C. I. L. iii, 1503.

⁸² See note 41.

⁸³ C. I. L. iii, 593, 605, 1497; ix, 3044 (*Praef. Germ. Caesaris QVINQVENNALICI* (*i*)uris ex s. c.), 4122; x, 5392, 5393, 5405, 6101; xi, 421, 1525, 5224, 6224; xiv, 2964, ii, 6, 8, 2965; *Bull. Arch. e Storia Dalmata*, 1902, pp. 6, 23 (*L'Année Épig.* 1902, nos. 60, 61); Wiener Studien 1903, p. 326 (*L'Année Épig.* 1904, no. 227).

honor, as their inscriptions clearly show.⁸⁴ It is more than probable that still another group of these officials should be considered appointees. Seventeen inscriptions give the names of as many quinquennales who held no other offices in the municipalities except such as were religious in their nature, and nearly every one of these men was flamen of some emperor. This, in connection with the fact that they were not in the regular line for political honors, seems to imply appointment rather than regular election.⁸⁵ The inscriptions of many other men prove that they did not advance gradually through the *cursus honorum* of the towns, but proceeded directly from the position of *praefectus fabrum* to the high office of *quinquennalis*.

On the other hand, there are some hundreds of these officials who passed in all regularity through the lower offices of *quaestor* and *aedile*, and who then, when they happened in the right years to be elected *duoviri* or *quattuorviri*, exercised in addition the functions of *quinquennalis*. As to the regularity of the election of such men there can be no question in the face of a number of inscriptions which state in so many words that a man was nominated or elected *quinquennalis* for the ensuing year by unanimous vote, or that another had obtained the position after having in proper order filled all the other municipal offices.⁸⁶ At the same time, it must be carefully borne in mind that in general it is in the earlier inscriptions that the irregularities of attainment to the office are seen, and that the later the inscriptions appear the more regular do they become.

It would seem, therefore, that the evidence from inscrip-

⁸⁴ C. I. L. iii, 1503, 4108; ix, 1123, 2334, 4119, 5533; x, 5852, 5853; xi, 3364, 6167; xiv, 3599, 3609, 4237; Eph. Ep. viii, no. 120. Probably also C. I. L. viii, 2362.

⁸⁵ See note 54.

⁸⁶ C. I. L. x, 5670: *Quod . . . de IIviro Quinquenn. in prox. annum fieri placere M. Vibium Auctorem multa de r. p. merentem . . . honoret omnium suffragentibus*. See also C. I. L. viii, 8210, 9643, 11827 (= 630); x, 3678 (*omnib(us) munerib(us) functus*); Apul., Met. x, 18.

tional sources shows a sufficient diversity to make pertinent at least three questions. First: Were the quinquennales from the origin of that municipal office appointed to their places? Second: Were they nominated by the central authority in Rome to the citizens of any given town, and then duly elected there in the customary way? Third: Were they from the beginning elected in due form by the citizens of the municipalities, thus owing their competence to no suggestion or coercion from outside? It is certain that there were quinquennales who were duly elected, usually after having held the proper lower offices of their cities, in many cases perhaps without having done so. This fact is attested by the larger number of the inscriptions dealing with the office. Unfortunately, none of these sources date sufficiently near the beginning of the municipal life of the *colonia* or *municipium* to make positive or definite the proof which their number might seem to warrant. At the same time, the fairly numerous *praefecti quinquennales* and other *praefects* who exercised the office of *quinquennalis*, but who were Roman military or administrative officers in the towns only for a short time and were usually not citizens there at all, must continue to hold an important place in any estimate of the system. The localities to which *praefects* were sent were under complete imperial control.

An important consideration is that very few of the pertinent inscriptions can be dated before the year commonly agreed upon as the beginning of the Roman empire; that several of these earlier inscriptions prove that the quinquennales were appointed, not elected; and that in general nearly all of them show irregularities which are hard to explain. In imperial times, in which fall the dates of the great majority of the inscriptions concerning the quinquennales, these officers were nominated to the various municipalities, and had to be accepted by the voters. This is explicitly stated in the law of the emperor Vespasian known as the *lex de imperio*.⁸⁷ Mommsen's statement that up to the time of

⁸⁷ *Lex de imperio*, C. I. L. vi, 930, sect iv; Bruns, *Fontes* (7th ed.), p. 128; Brassloff, *Wiener Studien* 25, 1903, pp. 327-8, gives

the emperor Nero every office except that of consul was included in the imperial right of commendatio seems to refute his own words about the wall inscriptions of Pompeii.⁸⁸ Certainly it helps to strengthen the suggestion offered above that even if those inscriptions proved the fact of election, Rome at this time felt no fear in throwing open to the general electorate an office which she had in earlier and more unsettled times kept in her own control. The right just mentioned of commendatio or suffragatio was given in the year 27 B. C. as a permanent prerogative to Augustus Caesar. Whether there was legal authority for such a method of control of offices in late republican times is not certain; but the fact that the emperor Augustus used this method seems a very good reason for believing that it was not new, and that such nominations for certain kinds of important offices had been made before his time by the central authority at Rome. One of the characteristic traits of Augustus, according to the writers who have made him their study, was that he absorbed prerogatives and created few precedents.

A sufficient number of cases has been cited to make it certain that the quinquennales were not always elected by popular vote, that there were many irregularities in the earlier inscriptions, that the emperors could and did do with the office of quinquennalis about as they pleased, and that only in very late times did the office appear in all due form as the summit of the career of a municipal office-holder. By that time those functions of the office which earlier had been important to the central authority were no longer necessary to the life of the commonwealth. When this point was

proof of imperial recommendation for choice of officials since Augustus (C. I. L. ix, 3158: iv, 670). See also full discussion by Hellems, Chicago dissertation, *Lex de imperio Vespasiani* (1902). Note too the ease with which changes in municipal office were made: C. I. L. ii, 4277 (Tarraco): C. Valerius Avitus, *Ilvir translatus ab divo Pio ex munic. August. in col. Tarrac.* See also for material on "candidati Caesaris," Stobbe, *Phil.* xxvii, 88-112: xxviii, 648-700.

⁸⁸ Mommsen, *Staatsrecht*, ii (3d ed.), p. 923 ff.

reached the office fell into disuse, and the title was taken up by guilds of freedmen and artisans of the lower classes. By them it was used for their presiding officer, probably with no idea of its former meaning.

One further suggestion may perhaps be allowed. For reasons both military and financial the one office over which the central government had to retain control was that of the census-taker.⁸⁹ It is safe to believe that the opportunist policy of the Romans, which respected local prejudices as far as possible, will account for the fact that administration was not everywhere uniform in the Roman domains. Sulla reformed the constitution so that the Roman *cursus honorum* no longer included the censorship;⁹⁰ and although this was done for the purpose of throwing the control of affairs back in the hands of the senate, it was in reality a return to that earlier unification of powers which was again so soon to result in a comprehensive bureaucracy. After a century of civil strife, the one-man power began to recognize its responsibilities to the provinces and to the thousands of small towns, and a new impetus was given to municipal politics. There appeared at the top of the *cursus honorum* a new office to which was attached a title that very happily suggested its censorial function without mentioning it. This was the *quinquennalis*.

In conclusion, many inscriptions of *quinquennales*, both early and late, show that this high municipal office was gained by appointment. The fact that the emperor or princeps Augustus was granted that prerogative seems practically to warrant a belief in a previous right of appointment to certain offices necessary to government which was exercised by officials of the time of the Republic. This Augustan right,

⁸⁹ In 88 B. C. there were 80,000 Romans resident in Asia alone, Val. Max. ix, 2, 3, Ext. See Clinton, *Fasti Hellenici*, *Lustra Romana*, pp. 448-471.

⁹⁰ Mommsen, *Staatsrecht*, ii (3d ed.), 1, p. 336; Cic. ad Verr. i, 50, 130; C. I. L. i, p. 102: *censoria negotia constitutione Sullana consulibus praetoribusve mandata*; Heitland, *The Roman Republic*, ii, 447, 514-516.

confirmed in the clause of Vespasian's *lex de imperio* mentioned above which grants the power of nomination to the emperors, seems to be rather a proof of extended privileges, an enlargement of a survival from republican times, than an entire subversion of precedent. Furthermore, not a single *quinquennalis* who is mentioned in any of the *fasti* appears in them in any other official capacity. The fact also that many of these officials had gained that high municipal honor in more than one place, and that scores of them held that particular office and no other, makes it appear that in many cases no municipal eligibility qualifications could have existed at all, especially since only in the later inscriptions does a regular round of offices appear. Again, when the designation *quinquennalis* is seen to have been given to the highest officer in the *Augustales*, we seem to have another reason for saying that if a title had been considered wholly elective, it would hardly have been so used. Finally, the adoption of the term *quinquennalis* by the *corpora* and *collegia* of Rome and Ostia seems again to show that it was felt to be proper and right to take a municipal official title which, although no longer much used, did not owe its origin to the municipalities but to Rome. These considerations make it evident that the duties of the *quinquennales* were in general the same as those of the *censors*, revised to suit the requirements of the municipalities, and that the title was not officially adopted, but was more or less accidentally applied to the office because it was so obviously suited to the case. It is also clear that at the beginning the office of *quinquennalis* was filled by appointment of the central authority,⁹¹ that later the candidates were elected at the suggestion of the same central power, and that finally they were regularly elected in an untrammelled municipal *cursus honorum*.

⁹¹ Mommsen, in commenting upon the *Lex col. Genetivae*, 139 (*Juristische Schriften*, i, p. 229) says: *Magistratus, qui primi essent post coloniam deductam, non colonorum suffragiis creatos esse, sed a conditore factos consentaneum est intellegiturque fortasse id ipsum, quamquam tum scribendum est iussu.*

STATISTICS AND CAPITULATION

ABBREVIATIONS OF THE WORD QUINQUENNALIS

A tabulation of all the occurrences of the word quinquennalis or its abbreviations in inscriptions or on coins gives the following results: QUINQ. 406 times, QQ. 333 times, QUINQUENNALIS 71 times, Q. 20 times, QUINQUENN. 16 times, QUINQUENNALICIUS 15 times, QUIN. 17 times, QUINQUENNAL, 13 times, QUINQUEN. 10 times, QVI. 7 times, δυνάμηρ πενταετηρικός 3 times, QQQ. once,⁹² QV. once, uncertain fragments, 52 times.

In the inscriptions from Rome, almost all of quinquennales of collegia, QQ. is the favorite abbreviation, being found 123 times, QUINQ. 49 times, QUINQUENNALIS 17 times, QUINQUENN. 7 times, QUINQUENNAL 4 times, QUINQUENNALICIUS 2 times, QUIN. 1 time; in Ostia QQ. appears 76 times, QUINQ. 9 times, scattering 8 times; also in Ostia the Seviri are found 23 times as Sevir Aug. idem QQ., sevir idem Quinq. 3 times, sevir et QUINQUENNALIS 2 times, scattering 6 times; in Pompeii QUINQ. is practically the only form found, occurring 41 times, QUINQU(?) once.

MENTION OF QUINQUENNALES ON COINS

The names of 72 quinquennales appear on 47 different issues of imperial coins. Forty-eight of these officials are termed IIviri Quinquennales, but of these the colleagues of ten are not named. The provenience of the quinquennales in coins is as follows: Carthago Nova 28, Corinth 14, Ilici 6, Valentia 6, Parium 4, Buthrotum 4, Celsa 2, Pella 1, Paestum 1, uncertain 6.

CAPITULATION

There are in all 937 recorded quinquennales; the word quinquennalis, or its abbreviation, appears 967 times in mentioning these officials; 251 men are IIviri Quinquennales, 80

⁹² In an inscription of 251 A. D. : per patronis et QQQ., Bull. Com. 30, 1902, p. 329. Rome.

of these appearing as colleagues; 132 men are IIIIviri Quinquennales, 16 of these being colleagues; 93 men are quinquennales with no further titular designation; 72 men are designated quinquennales on coins; 28 different collegia and 15 different corpora (including the Augustales) give all told 271 non-political quinquennales.

PROVENIENCE OF THE QUINQUENNALES

Inscriptions not yet in the C. I. L., and those on coins, are classified according to the C. I. L.

C.I.L.	I	II	III	IV	V	VI	VII	VIII	IX	X	XI	XII	XIII	XIV		
Quinquennales (political)	1	20	99	13	38	—	—	64	132	115	106	2	3	44		
Quinquennales of collegia and corpora (non-political)	Religious Civil Augustales	115					3			2	9	1			76	
		6									1				3	
		1.					3	2			1	2				47
		Total														
	1	20	99	13	39	124	—	64	137	118	118	2	4	170		

The Quinquennales of collegia and corpora as given in the table above are found as follows:—

CIVIL

114 in C. I. L.	VI: Rome.
3 “ “	IX: Aesernia 2, Alba Fucens 1.
2 “ “	X: Puteoli 1, Velitrae 1.
9 “ “	XI: Pisaurum 1, Volsinii 1, Sentinum 3, Spole- tium 4.
1 “ “	XIII: Lugdunum 1.
76 “ “	XIV: Ostia 74, Praeneste 1, Tusculum 1.

RELIGIOUS

6 “ “	VI: Rome.
1 “ “	XI: Sentinum.
3 “ “	XIV: Lavinium 1, Lanuvium 1, Aricia 1 (Not d. Sc., 1911, p. 266).

AUGUSTALES

Practically all in C. I. L. XIV from Ostia

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